

United States District Court  
For the Northern District of California

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6 JAMES THOMAS HART,

No. C 03-5580 CW

7 Plaintiff,

8  
9 ORDER REGARDING  
10 v.  
11 PLAINTIFF'S  
12 LAWRENCE L. BRAUN, COUNTY OF NAPA,  
13 PUBLIC DEFENDER FOR THE  
14 COUNTY OF NAPA; and DOES 1 to 100.,  
15 Defendants.

SUPPLEMENTAL  
BRIEF

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17 On November 29, 2005, Defendant Lawrence L. Braun moved for  
18 summary judgment on the ground that equitable tolling does not  
19 apply to Plaintiff James Thomas Hart's legal malpractice claim. A  
20 hearing was held on January 27, 2006. No appearance was made by  
21 Plaintiff's counsel. A minute order was issued requiring  
22 Defendant's counsel to submit, by February 10, 2006, a supplemental  
23 brief addressing the cases of Gorden v. Law Offices of Aguirre &  
24 Meyer, 70 Cal. App. 4th 972 (1999), and Laird v. Blacker, 2 Cal.  
25 4th 606 (1992), accompanied by copies of the Ninth Circuit  
26 appellate briefs in Hart v. Braun, 2005 WL 2186350 (9th Cir. 2005).  
27 Response by Plaintiff was due February 17, 2006. On February 7,  
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1 2006, this Court granted the parties' stipulation that Plaintiff  
2 may have until March 15, 2006 to file his supplemental brief. On  
3 February 9, 2006, Defendant filed his supplemental brief and  
4 provided the Ninth Circuit appellate briefs. On March 13, 2006,  
5 Frank G. Prantil, purporting to be Plaintiff's attorney, sent the  
6 Court an unsigned courtesy copy of Plaintiff's supplemental brief,  
7 but the brief was not filed. On March 27, 2006, Mr. Prantil  
8 electronically filed the supplemental brief.

9       The Court notes, that effective March 5, 2006, Mr. Prantil is  
10 not eligible to practice law in California. See  
11 [http://members.calbar.ca.gov/search/member\\_detail.aspx?x=35155](http://members.calbar.ca.gov/search/member_detail.aspx?x=35155). Therefore, the Court cannot accept this or any future  
12 briefs from Mr. Prantil. If Plaintiff wishes to file his  
13 supplemental brief, he may retain new counsel, or represent  
14 himself. Plaintiff has two weeks from the date of this order to  
15 file his supplemental brief.

17  
18 IT IS SO ORDERED.

20 || 3/29/06

21 || Dated:

Claudia Wilken

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**CLAUDIA WILKEN**  
United States District Judge